

REMARKS

Reconsideration of the present application as amended is hereby requested. The first line of the specification has been amended to update the continuation information for this application, as suggested by the Examiner. Applicants have also corrected redundantly listed Figure 23 to Figure 23A as further suggested by the Examiner.

The drawings were objected to as failing to show every feature of the claimed invention. A rejection under 35 U.S.C. §112 was issued on similar grounds. In particular, both objections were premised on a lack of specific disclosure of attaching the raceway or mounting plate to the upper surface of the table.

It is believed that both objections have been traversed by Applicants' amendment to independent claims 42 and 45. In particular, Applicants have amended claim 42 to indicate that the raceway is engageable to a surface of the structure and to define the raceway as configured to be alternatively engageable with the raceway extending above or below the upper and lower surfaces, respectively, of the workpiece structure. Thus, the salient feature in claim 42 follows the disclosure and figures of this application – namely, the ability to mount the raceway so that it can be accessible on either side of the workplace structure.

Similarly, independent claim 45 has been amended to indicate that the raceway can be engaged to either surface of the mounting plate even when one surface of the mounting plate is engaged to the lower surface of the structure. As depicted in Fig. 13, the raceway is engaged to the mounting plate on the same surface that is engaged to the structure. In Fig. 14, the raceway is engaged to the mounting plate on the opposite surface to the one engaged to the structure. Thus, the amendment to claim 45 falls within the original disclosure and is also distinct from the prior art of record.

With these changes, it is believed that the requirement for an additional figure has been traversed. Moreover, claims 42 and 45 as amended are clearly supported in the specification so the Section 112 rejection has also been

traversed. Finally, Applicants have made some minor clerical amendments to dependent claims 43 and 47. It is thus believed that all of the pending claims 42-47 are in condition for allowance.

All of these claims were subject to an obviousness-type double patenting rejection in view if certain claims in commonly owned Patent No. 6,244,193. Consequently, Ditto Sales, Inc., has disclaimed the terminal part of any United States Patent granted on this patent application, serial no. 09/843,216, which would otherwise extend past the expiration date of the full statutory term of U.S. Patent No. 6,244,193, issued on June 12, 2001 (application serial no. 09/088,817) also owned by Ditto Sales, Inc. As permitted, Applicants' agent of record has executed the Terminal Disclaimer. The fee for the accompanying Terminal Disclaimer required by 37 C.F.R. § 1.20(d) is enclosed.

Ditto's ownership of the present application and the '193 Patent are established by an assignment from inventors Gutgsell, Schwinghammer and Siegal to Ditto for U.S. Patent No. 6,244,193 and its underlying application S.N. 09/088,817, and by an assignment from inventor Gutgsell, Schwinghammer and Siegal to Ditto of the '216 application. The '193 Patent assignment was recorded on August 4, 1998 at Reel 009361, Frame 0981, The assignment transfers rights in the underlying invention and in all continuations and divisionals arising there from.

Thus, it is believed that the present application is in condition for allowance and action toward that end is requested.

Respectfully Submitted,



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